

Tuesday, October 20, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Lynn Compton and Chairperson Debbie Arnold

ABSENT: Supervisor Adam Hill

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-14. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 14 on the following vote is indicated for each item.

Motion by: Frank R. Mecham

Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

Bid Opening:

1. Letter transmitting plans and specifications (Clerk’s File) for the County Service Area 16, State Water Project Turnout, Shandon for Board approval and advertisement for construction bids. Bid opening date set for Thursday, November 19, 2015. District 1.

Mr. Greg Grewal; Ms. Cindy Steinbeck (document); and Mr. Eric Greening: speak.

Mr. Mark Hutchinson – Department of Public Works Deputy Director: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

2. Thirty-day update on current drought conditions and related management actions for the Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

3. Request to re-appoint Scott K. Smith to the Adelaida Public Cemetery District. District 1.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - District Attorney Items:

4. Request to approve a renewal grant agreement and application (Clerk's Filed) for FY 2015-16 to receive funding from the State's Workers' Compensation Insurance Fraud Prosecution and Investigation Program in the amount of \$54,419 and submittal of a resolution authorizing the District Attorney to sign the State agreement and other grant related documents. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-268, adopted.

Consent Agenda - General Services Items:

5. Request to approve the Second Amended Resolution of Intention to Surplus and Sell the County-owned real property at 900 Main Street in Cambria. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-269, adopted.

6. Request to approve the Fifth Amended Resolution of Intention to Surplus and Sell the County-owned real property at 790 and 800 Cornwall Street in Cambria. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-270, adopted.

Consent Agenda - Health Agency Items:

7. Request to: 1) approve a five year grant award from Federal Fiscal Year (FFY) 2015-16 through FFY 2019-20 with the Substance Abuse Mental Health Services Administration (SAMHSA) for a Drug Free Communities Support Program in the total amount of \$625,000 to provide drug and alcohol prevention services to youth; 2) authorize a corresponding budget adjustment in the amount of \$93,750 to increase appropriation for FY 2015-16 to Fund Center (FC) 16602 – Behavioral Health; and 3) approve a related resolution amending the Position Allocation List for FC 16602 to add a 1.0 FTE Drug & Alcohol Specialist II/IV (Limited Term) position. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-271, adopted.

Consent Agenda - Human Resources Items:

8. Submittal of two resolutions approving the July 1, 2015 – June 30, 2017 Memorandum of Understanding between the County of San Luis Obispo and the San Luis Obispo County Probation Peace Officers' Association Probation Unit, Bargaining Unit 31 and the San Luis Obispo County Probation Peace Officers' Association Probation Supervisory Unit, Bargaining Unit 32. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2015-272 and 2015-273, adopted.

Consent Agenda - Planning & Building Items:

9. Request to approve and record a Defense and Indemnity Agreement with Corral De Piedra Land Company for Conditional Use Permit DRC2005-00170 (Cold Canyon Landfill). District 3.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Probation Items:

10. Request to accept \$25,000 in Recidivism Reduction Grant Program funds from the Board of State and Community Corrections. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

11. Request approval of Parcel Map CO 05-0284, a proposed subdivision resulting in 4 lots by Gregory A. and Lorraine Manosar and Hunstad Homes, Inc., that has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map; and act on the attached resolutions accepting the avigation easement, the pedestrian access easement, and the variable width offer of dedication for public road purposes, Oceano. District 4.

Ms. Stephanie Fuhs – Department of Planning and Building: amends this item by adding a notary acknowledgment to the avigation easement that was inadvertently omitted; and by renumbering the document to be pages 1 of 7 through 7 of 7.

This item is amended by adding a notary acknowledgment to the avigation easement that was inadvertently omitted and by renumbering the document to be pages 1 of 7 through 7 of 7. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NOS. 2015-274, 2015-275 and 2015-276, adopted.

12. Submittal of a resolution establishing terms of an appropriation from the County of San Luis Obispo General Fund to County Service Area No. 23 (CSA 23) Revolving Fund for distribution on behalf of CSA 23 Water Fund and authorize a corresponding budget adjustment, in the amount of \$60,000, for a revolving fund appropriation to CSA 23 for the purpose of a cash flow loan. District 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-277, adopted.

13. Submittal of a resolution establishing changes to the Traffic Regulation Codes for parking restrictions on Marlborough Lane in the community of Cambria; El Moro Avenue and Palisades Avenue in the community Los Osos; and Galaxy Street, Mirabella Lane and Sebastian Way in the community of Nipomo. Districts 2 and 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-278, adopted.

Consent Agenda - Sheriff - Coroner Items:

14. Submittal of Inmate Welfare Fund Statement of Operations for FY 2014-15. All Districts.

The Board approves as recommended by the County Administrative Officer.

Public Comment Period:

15. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Greg Grewal: addresses various concerns regarding outside individual involvement with local water transfers and the County's California Statewide Groundwater Elevation Monitoring (CASGEM) score.

Mr. John Snyder: discusses that the County is promoting government collaboration with the Paso Robles Groundwater Basin issues as opposed to litigation; and comments on an article regarding the groundwater litigation in Santa Maria.

Ms. Cindy Steinbeck: expresses concerns regarding the water district being formed to sell water out of the area; and urges the Board to pay attention to investment firms that are purchasing property along the State Water Project to build turn-ins.

Mr. Mike Brown: discusses an upcoming agenda item regarding a permanent moratorium for the Paso Robles Ground Water Basin and other local basins; and the need to wait to find out more about the predicted El Nino weather conditions prior to proceeding with this matter.

Mr. Bob Blair: comments on his tax bill; the potential use of Conoco Philip’s desalination water; and the litigation between the 5 Cities area and Nipomo concerning water.

Mr. Ben DiFatta: speaks to a conflict of interest with a Supervisor; and comments on the General Manager for the Los Osos Community Services District (LOCSD).

Dr. C. Hite: expresses issues regarding segregating the low income community.

Mr. Gary Kirkland: addresses the comments by the public regarding gun violence and proposes the Government lead by example and be the first to disarm.

Ms. Linde Owen: urges the County repair the original site for the Los Osos Wastewater Project (LOWWP); speaks to the reuse of septic tank water; and her distrust in the LOCSD.

Mr. Eric Greening: states type conversion is gathering momentum; suggests a report on countywide tree mortality; and a joint meeting with the Planning Commission to develop ecological and environmental strategies to support future farming and ranching. **No action taken.**

Hearings

16.
- 1) A hearing to consider approval of ordinances to amend the County Code (Titles 2 and 19) by dissolving the Department of General Services, creating the Department of Central Services, and transferring responsibility for building maintenance, facility planning, and architectural services to the Department of Public Works; 2) request to adopt resolutions to establish the new classification and set the salary range for the Director of Central Services and amend Position Allocation Lists to reflect the transfer of positions to the Department of Central Services and addition of positions to the Department of Public Works; and 3) authorize the Auditor-Controller to transfer unspent appropriations for the Department of Central Services to Fund Center 116. All Districts.

Chairperson Arnold: opens the floor to public comment without response.

The readings of the proposed ordinances are waived and said proposed ordinance are read by title only and **ORDINANCE NO. 3302, an ordinance amending Chapter 2.11 of the County Code; ORDINANCE NO. 3303, an ordinance amending Section 2.18.040 of the County Code; ORDINANCE NO. 3304, an ordinance amending Section 2.40.060 of the County Code; ORDINANCE NO. 3305, an ordinance amending Section 19.01.030 of the County Code, adopted. RESOLUTION NO. 2015-279, a resolution amending the Position Allocation List Resolution for Fiscal Year 2015-16 (Fund Centers (FC) 113 and 116); RESOLUTION NO. 2015-280, a resolution amending the Position Allocation List Resolution for Fiscal Year 2015-16 (FC 116); and RESOLUTION NO. 2015-281, a resolution amending the Position Allocation List Resolution for Fiscal Year 2015-16 (FC 405), adopted. Furthermore, the Board authorizes a budget adjustment effective January 1, 2016, in an amount to be determined by the Auditor-Controller, to transfer unspent appropriations as of December 31, 2015 for Central Services cost centers from Fund Center 113 to the new Fund Center 116, so that the total budget in Fund Centers 113 and 116 does not exceed the amount that was originally adopted for Fund Center 113 for the fiscal year.**

Motion by: Frank R. Mecham
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

Board Business:

17. Status report on current Capital Projects and Facilities Programs for various County facilities currently in construction and under development. All Districts.

(This item is amended, per the addendum to the agenda, on page 8 under "Financial Considerations" by deleting the table referring individual projects in construction and their respective funding sources list due to an inconsistency with Exhibit B. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Chairperson Arnold: opens the floor to public comment without response.

The Board receives the status report. **No action taken.**

Closed Session Items:

18. The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) Los Osos Community Services District v. Golden State Water Company, et al.; (4) Landwatch San Luis Obispo County v. Cambria Community Services District, et al.; (5) Mesa Community Alliance v. State of California Department of Parks and Recreation, et al.;

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (6) San Luis Obispo Government Attorney's Union (SLOGAU); (7) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (8) Deputy County Counsel's Association (DCCA); (9) Sheriffs' Management; (10) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (11) Deputy Sheriff's Association (DSA); (12) District Attorney Investigators' Association (DAIA); (13) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (14) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (15) Unrepresented Management and Confidential Employees; and (16) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

(Added Closed Session, per the addendum to the agenda. PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (17) Consider Public Employee Appointment for the Position of the Central Services Director. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Chairperson Arnold: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

Introduction of the Cattleman of the year:

This is the time set for introduction of the Cattleman of the year by the Cattleman's Association.

Mr. Steve Arnold - San Luis Obispo County Cattlemen's Association President: introduces Chuck Pritchard as the 2015 Cattleman of the Year.

Mr. Pritchard speaks.

Chairperson Arnold: opens the floor public comment without response.

THE BOARD ADJOURNS FOR LUNCHEON AT THE MADONNA INN.

Presentations:

- 19.** Submittal of a resolution recognizing the fifth anniversary and the achievements of the Transitional Age Youth Financial Assistance Program (TAY-FAP) in San Luis Obispo County. All Districts.

Ms. Tracy Schiro and Mr. Jim Roberts: speak.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-282, a recognizing the fifth anniversary of the Transitional Age Youth-Financial Assistance Program and the program’s exemplary service to the foster youth of San Luis Obispo County, adopted.

Motion by: Bruce S. Gibson
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			

Board Business:

- 20.** Presentation of a project update and Septic System Decommissioning and Reuse Plan for the Los Osos Wastewater Project. District 2.

Chairperson Arnold: opens the floor to public comment.

Mr. Chuck Cesena; Mr. Richard Margetson; Ms. Julie Tacker; Mr. Jeff Edwards; and Mr. Eric Greening: speak.

The Board received the presentation. **No action taken.**

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, October 20, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: October 21, 2015